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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,714	12/05/2003	Diana U. Kean	YAMAP0893US	2668
43076 7590 10/14/2009 MARK D. SARALINO (GENERAL) RENNER, OTTO, BOISSELLE & SKLAR, LLP 1621 EUCLID AVENUE, NINETEENTH FLOOR CLEVELAND, OH 44115-2191				
EXAMINER NGUYEN, DUNG T				
ART UNIT		PAPER NUMBER		
2871				
MAIL DATE		DELIVERY MODE		
10/14/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/729,714

Applicant(s)

KEAN ET AL.

Examiner

Dung Nguyen

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/02/2009 has been entered.

Applicant's amendment dated 07/02/2009 has been received and entered. Claims 1-10 are pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Applicant's submitted prior art, Seigo, JP 09-281440, as stated in the previous final office action

Regarding claims 1-2 and 5-10, Seigo discloses a stereoscopic display (figures 1, 2 and 6) comprising:

. a display device (picture display part 1) having first pixels (3) and second pixels (4) arranging in rows and columns pixels,(figure 3b);

. a parallax optic (image barrier 2) having rows and columns parallax elements (see figure 6, 18), in which each row offset and having a pitch as claimed (e.g., shift to next row by half the pitch of the parallax element (see figure 6);

. wherein a size of a row direction is larger than that of a column direction (see figure 6b for the size of L/R pixels);

. wherein the display device (1) is disposed between the parallax optic (2) and viewing regions (8, 9).

Seigo, however, does not explicitly disclose a controller for supplying image data for the display device. One of ordinary skill in the art would be able to merely find how to supply signals (e.g., image data signal) to a display device by using a controller, since it is a common practice in the art for driving the display device. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Seigo's display device a controller for driving purposes (e.g., applying data signal).

Regarding claims 3-4, Seigo discloses the claimed invention as described above except for the display device being a spatial light modulator or a light-attenuating modulator. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to use a liquid crystal device or a spatial light modulator or a light attenuating modulator since the examiner takes Office Notice of the equivalence of the liquid crystal device and the spatial light modulator or the light-attenuating modulator for their use in the art and the selection of any of these known equivalents for modulating would be within the level of ordinary skill in the art.

Response to Arguments

3. Applicant's arguments filed 07/02/2009 have been fully considered but they are not persuasive.

Although claims 1 is now amended, such amendment is not sufficient to overcome its rejection and that of claims 2-10 in a previous Office Action

Applicant's arguments are that Seigo does not teach or suggest the parallax optic having a parallax element slit pitch for providing viewpoint correction in a two-view display. The Examiner respectfully disagrees with Applicant's viewpoint. In particular, although Seigo does not explicitly disclose the parallax elements including a slit pitch, Seigo does disclose the parallax element (2) having a light transmission part (5) for light transmitting which is the same function as the Applicant's slit pitch as well. In other words, the Seigo's parallax optic (2) does have a slit pitch as claimed as well.

Accordingly, the rejection of claims 1-10 stand.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN
10/13/2009

/Dung T. Nguyen/
Primary Examiner
Art Unit 2871